

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE 40/586191

Applicant: Hiromitsu FUSE et al.
Title: DRUG FOR PREVENTING AND TREATING
ATHEROSCLEROSIS (as amended)
Appl. No.: Unassigned
International Filing Date: 1/14/2005
371(c) Date:
Examiner: Unassigned
Art Unit: Unassigned

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), within three (3) months of the date of entry of the national stage as set forth in 37 CFR §1.491.

RELEVANCE OF EACH DOCUMENT

A copy of the International Search Report is attached setting forth the portion of each document cited therein which was considered relevant by the examiner. An English-language counterpart of the foreign-language documents has been provided where readily available. English language abstracts are provided for each foreign-language document. The absence of a full translation or an English-language counterpart document does not relieve the PTO from its duty to consider any submitted document (37 CFR §1.98 and MPEP §609).

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

Although Applicant believes that no fee is required for this Request, the Commissioner is hereby authorized to charge any additional fees which may be required for this Request to Deposit Account No. 19-0741.

Respectfully submitted,

Michael Maebius

By Reg No. 34,711

Date July 14, 2006

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT Date Submitted: July 14, 2006 <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	Unassigned
				Filing Date	1/14/2005
				First Named Inventor	Hiromitsu FUSE
				Group Art Unit	Unassigned
				Examiner Name	Unassigned
				Attorney Docket Number	023312-0127

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A1	6,555,371	B1	SAITO, Masaki	04/29/2003	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	A2	JP	2000-333682	A	Seikagaku Kogyo Co. Ltd.	12/05/2000		A
	A3	JP	11-18778	A	Seikagaku Kogyo Co. Ltd.	01/26/1999		A
	A4	WO	03/078624	A1	Takeda Chemical Ind. Ltd.	09/25/2003		A

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.			T ⁶
	A5	BOBRYSHEV et al., "Phenotype determination of anti-GM3 positive cells in atherosclerosis lesions of the human aorta, Hypothetical role of ganglioside GM3 in foam cell formation," Biochimica et Biophysica Acta, 2001, vol. 1535, pp. 87-99.			
	A6	FUKUMOTO et al., "Expression Cloning of Mouse cDNA of CMP-NeuAc:Lactosylceramide α 2,3-Sialyltransferase, an Enzyme That Initiates the Synthesis of Gangliosides," J. Biol. Chem., April 2, 1999, vol. 274, no. 14, pp. 9271-9276.			
	A7	HARA et al., "Characterization and Changes of Glycosphingolipids in the Aorta of the Watanabe Hereditary Hyperlipidemic Rabbit," J. Biochem., 1991, vol. 109, pp. 904-908.			
	A8	MELKERSON-WATSON et al., "Purification to Apparent Homogeneity by Immunoaffinity Chromatography and Partial Characterization of the GM3 Ganglioside-forming Enzyme, CMP-Sialic Acid:Lactosylceramide α 2,3-Sialyltransferase (SAT-1), from Rat Liver Golgi," J. Biol. Chem., March 5, 1991, vol. 266, no. 7, pp. 4448-4457.			
	A9	PROKAZOVA et al., "Ganglioside GM3 stimulates the uptake and processing of low density lipoproteins by macrophages," Biochemical and Biophysical Research Communications, May 31, 1991, vol. 177, no. 1, pp. 582-587.			
	A10	USUKI et al., "Toward the Understanding of Glycopilid GM3 Functions – Application of Metabolic Inhibitors," Nippon Yuka Gakkaishi, 1997, vol. 46, no. 10, pp. 1075-1086 (with English abstract).			

Examiner Signature	Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.